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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONNIE HICKS

Defendants.

CASE NO. 1:24-CR-00126-NODJ-BAM

STIPULATION TO RESET MATTER FOR CHANGE
OF PLEA AS TO DONNIE HICKS; AND ORDER

IT IS HEREBY STIPULATED by and between Michele Beckwith, Acting United States Attorney and Robert L. Veneman-Hughes, Assistant U.S. Attorney, as well as Robert Lamanuzzi, attorney for defendant DONNIE HICKS that change of plea set for April 7, 2025 at 9:00 a.m. be moved to May 19, 2025, before a district judge for change of plea.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendants' counsel of record, hereby stipulate as follows:

1. The parties have reached a plea agreement and previously set a change of plea for April 7, 2025.
2. The court has let the parties know it has a scheduling conflict on April 7, 2025 and is instead available, among other dates, on May 19, 2025.
3. By this stipulation, the parties now move to reset the existing hearing and exclude time from April 7, 2025 to May 19, 2025.
4. The parties agree and stipulate, and request that the Court find the following:

1 a) Defendant has agreed to enter a change of plea and desires to have his counsel
2 present and prepared for that hearing, and defense counsel needs the time requested in this
3 stipulation to prepare for change of plea.

4 b) The government does not object to the continuance.

5 c) An ends-of-justice delay is particularly apt in this case because:

- 6 • The defendant has signed a plea agreement and the selected date is the soonest
7 convenient date for court and counsel.

8 d) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of April 7, 2025 until May 19, 2025,
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) because
14 it results from a continuance granted by the Court at defendants' request on the basis of the
15 Court's finding that the ends of justice served by taking such action outweigh the best interest of
16 the public and the defendants in a speedy trial.

17 5. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.
20

21 Dated: April 1, 2025

Respectfully submitted,

22 MICHELE BECKWITH
23 Acting United States Attorney

24 By /s/ Robert L. Veneman-Hughes
25 ROBERT L. VENEMAN-HUGHES
26 Assistant United States Attorney

27 Dated: April 1, 2025

/s/ Robert Lamanuzzi
28 ROBERT LAMANUZZI
Attorney for Defendant Donnie HICKS

ORDER

IT IS SO ORDERED that the change of plea hearing is continued from April 7, 2025, to **May 19, 2025, at 8:30 a.m. in Courtroom 5 before the District Court Judge.** Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **April 1, 2025**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE